

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AARON J. RAMBO,
Petitioner,

v.

**DAVID WINN, as Warden of FMC Devens,
and**
**JOHN ASHCROFT, as Attorney General of
the United States,**
Respondents.

Civ. No. 04-12669-EFH

PETITIONER'S RESPONSE TO MOTION TO DISMISS

Now comes the Petitioner, Aaron Rambo, and in light of the recent opinion of the First Circuit in *Perez-Olivo v. Chavez*, 394 F. 3d 45 (2005), hereby assents to an order of dismissal of the within Petition.

AARON RAMBO
by his attorneys,

Date: 3/22/05

/s/ Matthew A. Kamholtz
Matthew H. Feinberg
BBO #161380
Matthew A. Kamholtz
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FEINBERG & KAMHOLTZ
125 Summer St.
Boston, MA 02110
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CERTIFICATE OF SERVICE

I, Matthew A. Kamholtz, hereby affirm that a copy of the within was this day served upon the following, via electronic mail:

Gina Walcott-Torres, AUSA
United States Attorney's Office
Suite 9200
One Courthouse Way
Boston, MA 02210

Date: 3/22/05

/s/ Matthew A. Kamholtz
Matthew A. Kamholtz